IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JAIPUR BENCH

S.B. CRIMINAL MISC. PETITION NO.1304/03

Govind Singh **Versus** State

DATE OF ORDER :: 07/09/2007

HON'BLE MR. JUSTICE AJAY RASTOGI

Mr. Anil Jain, for petitioner
Mr. Arun Sharma, P.P.

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Instant petition has been filed assailing the order dated 30th April, 2002 whereby petitioner was convicted after being held guilty u/s.13 of Rajasthan Public Gambling Ordinance, 1949 – against which he preferred revision petition which was dismissed by the Court of Revision vide order dated 3rd June, 2002.

A written report was submitted by ASI Ramji Lal at Police Station, Kotwali, Dholpur in which it was alleged that petitioner was indulged in gambling activities and while making announcement, raising slogan "invest one rupee get Rs.90/–". All slips and other material seized from him including a sum of Rs.9440/–. On the basis of said report, FIR No.10/2001 was registered against him and after investigation, the charge sheet was filed against petitioner u/s.13 of Ordinance, 1949. The trial court read over the substance to the accused who denied from allegation and desire to face trial. During

trial, prosecution examined as many as 5 witnesses and documents were also placed which were seized from petitioner. After due appreciation of statement recorded during trial and so also the documents exhibited, learned trial Judge held him guilty of committing offence u/s.13 of Ordinance, 1949 and sentenced him fine of Rs.100/- in default of payment of fine, 15 days SI and amount of Rs.9440/- was also ordered to be forfeited - against which he preferred revision petition before the Court of Revision which also appreciated the evidence and finally affirmed the said finding as a consequence whereof the same was dismissed on 3rd June, 2002.

This court does not find any error committed by the courts below which calls for interference.

Consequently, misc. petition fails and is hereby dismissed, along with Stay Petition No.1047/03.

[AJAY RASTOGI],J.